

**KATHLEEN A. LEAVITT
CHAPTER 13 BANKRUPTCY TRUSTEE
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E-File: 08/10/2009

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

IN RE:

DAVID P WALTER

Debtor(s).

**Chapter 13
BKS-08-24593-MKN
MOTION TO DISMISS
PRE-HEARING CONFERENCE**
Hearing Date: October 22, 2009
Hearing Time: 9:30 a.m.
MOTION TO DISMISS
Hearing Date: October 22, 2009
Hearing Time: 2:00 pm

Comes now KATHLEEN A. LEAVITT, Chapter 13 Bankruptcy Trustee in the above captioned bankruptcy case and for her motion states and alleges as follows:

1. Debtor(s) filed an Original Petition under Chapter 13, Title 11 of the United States Code on December 05, 2008.
2. Debtors Plan was confirmed by the Court on 06/25/2009.
3. The Trustee requests that this case be dismissed pursuant to 11 U.S.C. § 1307 (c) for one or more of the following reasons, to wit:
 - (c) For cause,
 - Court Claim #5, COUNTRYWIDE, filed a secured Proof of Claim for arrears (\$1783.40) with no plan provision.

WHEREFORE, the Trustee prays the Court issue an order dismissing the within case for the reasons as stated above and that expenses in the amount of \$0.00 be allowed in this case.

/s/ KATHLEEN A LEAVITT

DATED: 8/10/2009
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Kathleen A. Leavitt
CHAPTER 13 BANKRUPTCY TRUSTEE